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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/732,813  
Applicant : Kamehameha Kay-Min WONG, Jr. et al.  
Filed : December 11, 2003  
TC/A.U. : 1648  
Examiner : Hill, Myron G.

Docket No. : 1954-381  
Customer No. : 06449  
Confirmation No. : 9416

**RESPONSE TO RESTRICTION REQUIREMENT**

Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

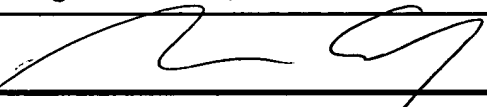
In response to the non-final Office Action of September 8, 2005, Applicants elect Group I, claims 1-11, with traverse.

Applicants request reconsideration of the requirement for restriction and joinder of Groups I and IV, both relating to protein, and Groups II and III, both related to DNA.

Claims 1-11 are directed to a fusion polypeptide and claims 15-16 are dependent on claim 1 and directed to a method using the same fusion polypeptide. Therefore, applicants submit that a search for the embodiments of the invention that are claimed in claims 15-16 will encompass all the elements of claim 1 and will not place an additional burden on the examiner if searched and examined together with claim 1. Applicants therefore request that claims 1-11 and 15-16 be examined together.

Applicants also request that claims 12-14 be examined together. Claims 12-13 relate to a DNA construct, while claim 14 is dependent on claim 13 and is drawn to a method that comprises transfecting a cell with the construct of claim 13. Because claim 14 contains all the elements of claims 12-13 of Group II, search and examination of these claims together would not impose any additional burden on the examiner.

Applicants request reconsideration of the requirement and examination of claims 1-11 and 15-16 together and claims 12-14 together. Having elected Group I herein, Applicants request reconsideration on the merits of claims 1-11 and 15-16 at this time.

<b>RESPECTFULLY SUBMITTED,</b>					
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